



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 PO Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,283	03/25/2004	Billies B. Butler	17922/09001 CON

27530  
 NELSON MULLINS RILEY & SCARBOROUGH LLP  
 P.O. BOX 11070  
 COLUMBIA, SC 29211

CONFIRMATION NO. 6040  
**FORMALITIES LETTER**  
**\*OC000000012900076\***  
**\*OC000000012900076\***

Date Mailed: 06/08/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

**R E C E I V E D**

JUN 10 2004

**NELSON MULLINS  
 COLUMBIA OFFICE**

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 01/19/2005 DEMMANU1 00000058 501196 10809283  
 Alexandria VA 22313-1450  
 01 FC:2001 385.00 DA  
 02 FC:2051 65.00 DA

*A copy of this notice MUST be returned with the reply.*

*Q1 ✓*  

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 10/01/2004. Patent fees are subject to annual revision.

# FEE TRANSMITTAL

## For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 1,435)

### Complete if Known

Application Number	10/809,283
Filing Date	March 25, 2004
First Named Inventor	Billies B. Butler
Examiner Name	
Art Unit	3762
Attorney Docket No.	17922/09001 CON

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order

Deposit Account  None

Deposit Account Number 50-1196  
Deposit Account Name Nelson Mullins Riley & Scarborough

The Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  
 Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  
 Credit any overpayments

to the above-identified deposit account.

Other (please identify): \_\_\_\_\_

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING FEE

<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee Paid (\$)</u>
Utility Filing Fee	790	395	395
Design Filing Fee	350	175	_____
Plant Filing Fee	550	275	_____
Reissue Filing Fee	790	395	_____
Provisional Filing Fee	160	80	_____
<b>Subtotal (1) \$</b>	<b>395</b>		

**Subtotal (2) \$**

#### 2. EXTRA CLAIM FEES

<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3		
<b>Multiple Dependent Claims</b>		<b>Fee (\$)</b>
		<b>Fee Paid (\$)</b>
		_____

**Subtotal (2) \$**

#### 3. OTHER FEES

<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee Paid (\$)</u>
1-month extension of time	110	55	_____
2-month extension of time	430	215	_____
3-month extension of time	980	490	_____
4-month extension of time	1,530	765	_____
5-month extension of time	2,080	1,040	1,040
Information disclosure stmt. fee	180	180	_____
37 CFR 1.17(q) processing fee	50	50	_____
Non-English specification	130	130	_____
Notice of Appeal	340	170	_____
Filing a brief in support of appeal	340	170	_____
Request for oral hearing	300	150	_____
Other:			_____
<b>Subtotal (3) \$</b>			<b>1,040</b>

### SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	35,218	Telephone	(803) 255-9382
Name (Print/Type)	Craig N. Killen			Date	Jan. 10, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/19/2005 DEMAND 1 00000053 501145 10809283

03 FC:2253 1080.00 DA

**Nelson  
Mullins**



**Nelson Mullins Riley & Scarborough LLP**  
Attorneys and Counselors at Law  
1320 Main Street / 17<sup>th</sup> Floor / Columbia, South Carolina 29201  
Tel: 803.799.2000 Fax: 803.256.7500  
[www.nelsonmullins.com](http://www.nelsonmullins.com)

Craig N. Killen  
Registered Patent Attorney  
803.255.9382  
Fax: 803.255.9831  
[craig.killen@nelsonmullins.com](mailto:craig.killen@nelsonmullins.com)

January 10, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

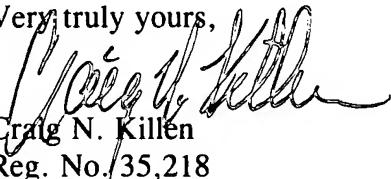
In re: Application of Billies B. Butler et al.  
Title: "MAGNETIC THERAPY CLOTHING ARTICLES AND COMPLEX  
MAGNETIC UNIT FOR USE THEREWITH"  
Serial No: 10/809,283 Filed: March 25, 2004  
Our Ref: 17922/09001 CON

Dear Sir:

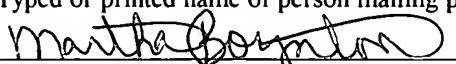
The following are being transmitted herewith:

1. Return copy of Notice to File Missing Parts
2. Fee Transmittal for FY 2005
3. Copy of Declaration previously filed

Please charge any deficiency or credit any overpayment required by this action to our deposit account no. 50-1196, for which purpose an extra copy of this transmittal letter is attached.

Very truly yours,  
  
Craig N. Killen  
Reg. No. 35,218

I hereby certify that this correspondence and any referenced attachment and/or fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date listed above.

Martha Boynton  
(Typed or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)